

171 Front Street West and 7 Station Street (entrance addresses 151 Front St West and 20 York Street) – Supplementary Report

Date:	August 1, 2014
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	14 122777 STE 20 OZ

SUMMARY

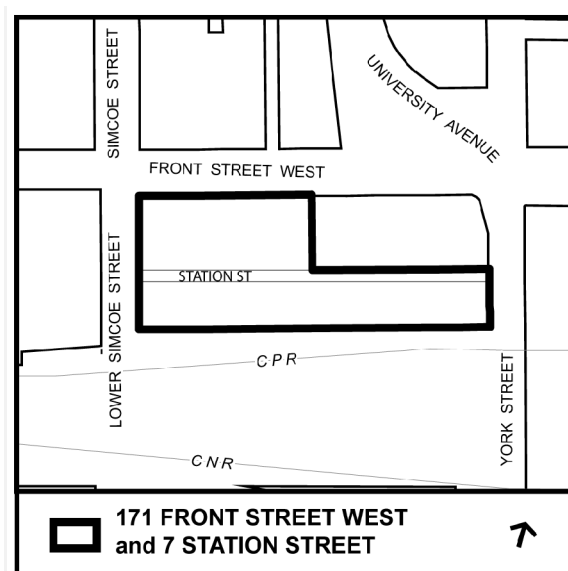
A report dated July 24, 2014, from the Director of Community Planning, Toronto and East York District, recommends approval of the Official Plan and Zoning By-law Amendment applications to permit the construction of a 48-storey office building at 171 Front Street West and 7 Station Street. The proposed office tower would have a gross floor area of 133,033 square metres, an overall building height of 239 metres, and a proposed density of 13.27 times the lot area.

The purpose of this report is to provide supplemental information to the July 24, 2014 report regarding Section 37 benefits to be secured under the *Planning Act*, and the draft Official Plan and Zoning By-law Amendments.

RECOMMENDATIONS

The City Planning Division recommends that the recommendations contained within the report dated July 24, 2014 from the Director of Community Planning, Toronto and East York District be deleted and replaced with the following:

1. City Council amend the Official Plan, for the lands at 171 Front Street West and 7



Station Street substantially in accordance with the draft Official Plan Amendment attached as Attachment No.1 to the report(August 1, 2014) from the Director, Community Planning, Toronto and East York District.

2. City Council amend the former City of Toronto Zoning By-law 438-86, for the lands at 171 Front Street West and 7 Station Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 2, to this report.
3. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to enter into an Agreement pursuant to Section 37 of the *Planning Act* as follows:
 - a. a cash contribution of \$1.75 million, to be paid prior to the issuance of an above-grade building permit for any development, for the following local community improvement initiatives:
 - i. \$50,000.00 for capital improvements to 168 John Street, \$100,000 for the capital improvements of the block containing 6-28 Henry Street, 40-42 Baldwin Street, 181-203 Beverly Street and 5-15 Cecil Street, and \$150,000 for other capital improvements of Toronto Community Housing Corporation (TCHC) facilities in Ward 20 ;
 - ii. \$1,000,000 for streetscape improvement to the John Street Cultural Corridor;
 - iii. \$350,000 for weather protection and improvements to the four at-grade TCC stairways at St. Andrew subway station; and
 - iv. \$100,000 for the City of Toronto Book Awards Plaque Program.
 - b. Provide a publically-accessible privately-owned open space/pedestrian plaza, at the north end of the site, landscaped to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
 - c. Make the publically-accessible privately-owned open space/pedestrian plaza, at the north end of the site, available to the City of Toronto and its agencies, boards and commissions, or a non-profit organization approved by the General Manager, Economic Development and Culture, City of Toronto for use at no cost, for a minimum of at least six (6) events per year.
 - d. Provide a public art contribution in accordance with the City of Toronto's Percent for Public Art Program; and
 - e. In the event the cash contributions referred to in Section 1 (a) through (d) above has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose is

identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

- f. The payments required in Clause 1(a) through (d) herein, shall increase in accordance with the increase in the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement or, if the site specific by-laws for the project are appealed to the Ontario Municipal Board, from the date of the Board order approving the by-laws, to the date of submission of the funds by the owner to the City.

The following matters will be secured in the Section 37 Agreement as a matter of legal convenience:

- g. Provide documentation as to LEED certification of the development and the marketing materials that will include information on LEED certification;
- h. Provide a pedestrian walkway through the new building proposed within the site;
- i. Space within the development site shall be provided for the construction of any transformer vaults, hydro vaults, Bell maintenance structures, sewer maintenance holes, exhaust and intake vents and stairwell and associated enclosure;
- j. Incorporate in the construction of the building, of exterior materials to be shown for the podium along Simcoe Street, Front Street West and Station Street, pedestrian weather protection and landscaping materials;
- k. Provide and maintaining an irrigation system for any proposed trees within the public road allowance;
- l. Provide, prior to site plan approval, an architectural plan and/or renderings of the roof of the podium, to include a green roof, or a combination of an appropriately landscaped roof and other architectural design treatment and exterior materials;
- m. Implement any necessary mitigation measures, to address the recommendations of a Pedestrian Level Wind Study;
- n. Revisions to the development, if necessary, and a Letter of Credit, to implement the recommendations of a Street Lighting Assessment;
- o. Continuous weather protection for pedestrians with a minimum depth of 3 metres along the frontage of Simcoe Street from the former north limit of Station Street to the southern property boundary;
- p. Enter into an agreement satisfactory to the City Solicitor, in consultation with the Chief Planner and Executive Director, City Planning Division, and the Executive

Director of Engineering and Construction Services, to secure the proposed canopy along a portion of the Simcoe Street frontage of the site, affixed to the existing building at 151 Front Street West;

- q. Submit, for review and acceptance prior to site plan approval, a Pedestrian Flow and Safety Review to the Program Manager, Transportation Planning, City Planning Division;
- r. Submit, for review and acceptance prior to site plan approval, a Transportation Demand Management Plan to the General Manager of Transportation Services, including measures to reduce automobile use;
- s. Having a qualified Transportation Engineer/Planner certify, in writing, to the General Manager of Transportation Services, prior to site plan approval, that the development has been designed and constructed in accordance with the Transportation Demand Management Plan approved by the General Manager, Transportation Services;
- t. Provide, maintain and operate the Transportation Demand Management measures, facilities and strategies stipulated in the Transportation Demand Management Plan approved by the General Manager, Transportation Services;
- u. Submit a traffic monitoring report within six months of occupancy of the office building to identify vehicular trip distribution patterns associated with the project and identify mitigating measures to address any poor levels of services experienced at Front Street West/Simcoe Street, former Station Street/York Street, former Station Street/Simcoe Street intersections, for the review and approval of the General Manager of Transportation Services;
- v. Provide a letter of Credit in the amount of \$50,000 to cover the costs associated with the following measures, as deemed appropriate by the General Manager of Transportation Services:
 - i. implementing mitigating measures such as changes to traffic regulations and installation of regulatory signage; and
 - ii. implementing the approved signal timing modification and signal phasing adjustments identified at the Front Street West/Simcoe Street, former Station Street/York Street, former Station Street/lower Simcoe Street, York Street/University Avenue/Front Street West and York Street/Bremner Boulevard intersections, which are attributable, in part, to this development, if any;
- w. Submit, prior to site plan approval a detailed landscape plan for the subject property, to the satisfaction of the Manager, Heritage Preservation Services;

- x. Provide, prior to site plan approval, plans for interpretive panels or other interpretive materials to communicate the development history of the property: the research, design, and location of the interpretive materials will be to the satisfaction of the Manager of Heritage Preservation Services;
 - y. Provide, prior to site plan approval, landscape plans for the publically accessible private open space/pedestrian plaza, which includes design consideration of the history of the site, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
 - z. Provide, prior to site plan approval, a Letter of Credit in a form and in an amount satisfactory to the Manager, Heritage Preservation Services to secure all work for the research, production and installation of interpretive materials;
 - aa. Obtain final approval for the interpretive materials erected on the property from the Manager, Heritage Preservation Services prior to the release of the Letter of Credit;
 - bb. Provide, prior to site plan approval, a revised Vibration Assessment, and if necessary, incorporating vibration migrating measures and revised drawings, prior to approval of the site plan application and have a qualified consultant certify, in writing, that the development has been designed and constructed in accordance with the approved vibration mitigating measures;
 - cc. Provide, prior to the site plan approval, a revised Noise Impact Study, and if necessary, incorporate noise mitigating measures and revised drawings, prior to approval of the site plan application and have a qualified consultant certify, in writing, that the development has been designed and constructed in accordance with the approved noise mitigation measures.
 - dd. Notwithstanding the foregoing, the owner and the City may modify or amend the said agreement(s), from time to time and upon the consent of the City and the owner, without further amendment to those provisions of this schedule which identify the facilities, services and matters to be secured.
4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendment as may be required.
 5. Before introducing the necessary Bills to City Council for enactment, the owner shall enter into a secured Agreement with the City to ensure the provision of all necessary improvements to the existing municipal infrastructure in connection with the Functional Servicing Report, to the satisfaction of the Executive Director of Engineering and Construction Services, should it be determined that improvements to such infrastructure are required to support this development.

6. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to enter into any other Agreements as necessary.

Official Plan and Draft Zoning By-law Amendments

A report dated July 24, 2014, from the Director of Community Planning, Toronto and East York District, recommends approval of the Official Plan and Zoning By-law Amendment applications at 171 Front Street West and 7 Station. The draft Official Plan Amendment and Zoning By-law Amendment are attached to this report (Attachments 1 and 2).

Section 37

Staff have met with the applicant, and in consultation with the Ward Councillor have been able to secure the following contributions under Section 37 of the *Planning Act*. Section 37 of the *Planning Act* allows the City to authorize increased density and/or height in return for the provision of services, facilities or matters. The Official Plan contains provisions authorizing these Section 37 matters, provided the density and/or height increase are consistent with the objectives of the Official Plan regarding building form and physical environment.

The allocation of Section 37 funds is based on opportunities in the immediate area of the subject site. A number of the Section 37 contributions and matters to be secured as legal convenience have been carried over from the 2007 approval of the project. New items secured through the 2014 application include, public realm improvements that are targeted to the John Street Cultural Corridor improvements which is at the detail design stage, additional funds for Toronto Community Housing Corporation (TCHC) capital improvements, a contribution to the City of Toronto Book Awards Plaquing program will help commemorate the 40th anniversary of this awards program and with the installation of plaques at Harbourfront, and the delivery a new privately-owned public space adjacent to the Union Pearson Express and Union Station, and a Public Art program which will be incorporated into the project. Staff were able to secure a pedestrian flow and safety review, and landscape plans for the publically accessible private open space/pedestrian plaza, which includes design consideration of the history of the site as part of the new application.

Given the increase in proposed height, the Official Plan would require the provision of Section 37 benefits. The applicant has agreed to the following Section 37 contribution. The benefits to be secured would be as follows:

The *owner* of the *site* shall:

1. A cash contribution of \$1.75 million, prior to the issuance of an above-grade building permit for any development, for the following local community improvement initiatives:
 - a. \$50,000.00 for capital improvements to 168 John Street, \$100,00 for the capital improvements of the block containing 6-28 Henry Street, 40-42 Baldwin Street, 181-203 Beverly Street and 5-15 Cecil Street, and \$150,000 for other capital improvements of Toronto Community Housing Corporation (TCHC) facilities in Ward 20;

- b. \$1,000,000 for streetscape improvement to the John Street Cultural Corridor;
 - c. \$350,000 for weather protection and improvements to the four at-grade TCC stairways at St. Andrew subway station; and
 - d. \$100,000 for the City of Toronto Book Awards Plaque Program.
2. Provide a publically-accessible privately-owned open space/pedestrian plaza, at the north end of the site, landscaped to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
 3. Make the publically-accessible privately-owned open space/pedestrian plaza, at the north end of the site, available to the City of Toronto and its agencies, boards and commissions, or a non-profit organization approved by the General Manager, Economic Development and Culture, City of Toronto for use at no cost, for a minimum of at least six (6) events per year.
 4. Provide a public art contribution in accordance with the City of Toronto's Percent for Public Art Program; and
 5. In the event the cash contributions referred to in Section 1 (a) through (d) above has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
 6. The payments required in Clause 1(a) through (d) herein, shall increase in accordance with the increase in the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement or, if the site specific by-laws for the project are appealed to the Ontario Municipal Board, from the date of the Board order approving the by-laws, to the date of submission of the funds by the owner to the City.

The following matters will be secured in the Section 37 Agreement as a matter of legal convenience:

7. Provide documentation as to LEED certification of the development and the marketing materials that will include information on LEED certification;
8. Provide a pedestrian walkway through the new building proposed within the site;
9. Space within the development site shall be provided for the construction of any transformer vaults, hydro vaults, Bell maintenance structures, sewer maintenance holes, exhaust and intake vents and stairwell and associated enclosure;

10. Incorporate in the construction of the building, of exterior materials to be shown for the podium along Simcoe Street, Front Street West and Station Street, pedestrian weather protection and landscaping materials;
11. Provide and maintaining an irrigation system for any proposed trees within the public road allowance;
12. Provide, prior to site plan approval, an architectural plan and/or renderings of the roof of the podium, to include a green roof, or a combination of an appropriately landscaped roof and other architectural design treatment and exterior materials;
13. Implement any necessary mitigation measures, to address the recommendations of a Pedestrian Level Wind Study;
14. Revise the development, if necessary, and a Letter of Credit, to implement the recommendations of a Street Lighting Assessment;
15. Continuous weather protection for pedestrians with a minimum depth of 3 metres along the frontage of Simcoe Street from the former north limit of Station Street to the southern property boundary;
16. Enter into an agreement satisfactory to the City Solicitor, in consultation with the Chief Planner and Executive Director, City Planning Division, and the Executive Director of Engineering and Construction Services, to secure the proposed canopy along a portion of the Simcoe Street frontage of the site, affixed to the existing building at 151 Front Street West;
17. Submit, for review and acceptance prior to site plan approval, a Pedestrian Flow and Safety Review to the Program Manager, Transportation Planning, City Planning Division;
18. Submit, for review and acceptance prior to site plan approval, a Transportation Demand Management Plan to the General Manager of Transportation Services, including measures to reduce automobile use;
19. Having a qualified Transportation Engineer/Planner certify, in writing, to the General Manager of Transportation Services, prior to site plan approval, that the development has been designed and constructed in accordance with the Transportation Demand Management Plan approved by the General Manager, Transportation Services;
20. Provide, maintain and operate the Transportation Demand Management measures, facilities and strategies stipulated in the Transportation Demand Management Plan approved by the General Manager, Transportation Services;
21. Submit a traffic monitoring report within six months of occupancy of the office building to identify vehicular trip distribution patterns associated with the project and identify mitigating measures to address any poor levels of services experienced at Front Street West/Simcoe Street, former Station Street/York Street, former Station Street/Simcoe Street

intersections, for the review and approval of the General Manager of Transportation Services;

22. Provide a letter of Credit in the amount of \$50,000 to cover the costs associated with the following measures, as deemed appropriate by the General Manager of Transportation Services:
 - a. implementing mitigating measures such as changes to traffic regulations and installation of regulatory signage; and
 - b. implementing the approved signal timing modification and signal phasing adjustments identified at the Front Street West/Simcoe Street, former Station Street/York Street, former Station Street/lower Simcoe Street, York Street/University Avenue/Front Street West and York Street/Bremner Boulevard intersections, which are attributable, in part, to this development, if any;
23. Submit, prior to site plan approval a detailed landscape plan for the subject property, to the satisfaction of the Manager, Heritage Preservation Services;
24. Provide, prior to site plan approval, plans for interpretive panels or other interpretive materials to communicate the development history of the property: the research, design, and location of the interpretive materials will be to the satisfaction of the Manager of Heritage Preservation Services;
25. Provide, prior to site plan approval, landscape plans for the publically accessible private open space/pedestrian plaza, which includes design consideration of the history of the site, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
26. Provide, prior to site plan approval, a Letter of Credit in a form and in an amount satisfactory to the Manager, Heritage Preservation Services to secure all work for the research, production and installation of interpretive materials;
27. Obtain final approval for the interpretive materials erected on the property from the Manager, Heritage Preservation Services prior to the release of the Letter of Credit;
28. Provide, prior to site plan approval, a revised Vibration Assessment, and if necessary, incorporating vibration migrating measures and revised drawings, prior to approval of the site plan application and have a qualified consultant certify, in writing, that the development has been designed and constructed in accordance with the approved vibration mitigating measures;
29. Provide, prior to the site plan approval, a revised Noise Impact Study, and if necessary, incorporate noise mitigating measures and revised drawings, prior to approval of the site plan application and have a qualified consultant certify, in writing, that the development has been designed and constructed in accordance with the approved noise mitigation measures.

30. Notwithstanding the foregoing, the owner and the City may modify or amend the said agreement(s), from time to time and upon the consent of the City and the owner, without further amendment to those provisions of this schedule which identify the facilities, services and matters to be secured.

Staff have reviewed the Official Plan and Zoning By-law Amendment applications, and the Section 37 benefits, have consulted with the Ward Councillor, and have determined that the benefits provided are appropriate for this application. Planning Staff recommend approval of the Official Plan and Zoning By-law Amendment applications at 171 Front Street West and 7 Station, and recommend that the draft Official Plan Amendment and draft Zoning By-law as attached to this report (Attachments 1 and 2) be approved by Council.

CONTACT

Marian Prejel, Senior Planner
Tel. No. (416) 392-9337
Fax No. (416) 392-1330
E-mail: mprejel@toronto.ca

SIGNATURE

Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Official Plan Amendment
Attachment 2: Zoning By-law Amendment

Attachment 1: Official Plan Amendment

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2014

To adopt Amendment No. 278 to the Official Plan of the City of Toronto respecting lands municipally known as 171 Front Street West and 7 Station Street.

WHEREAS authority is given to Council by the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

The attached Amendment No. 278 to the Official Plan is hereby adopted pursuant to the *Planning Act*, R.S.O. 1990, c.P. 13, as amended.

ENACTED AND PASSED this ___ day of 2014.

(Corporate Seal)

**AMENDMENT NO. 278 TO THE OFFICIAL PLAN
LANDS MUNICIPALLY KNOWN AS 171 FRONT STREET WEST AND 7 STATION
STREET**

The following text constitutes Amendment No. 278 to the City of Toronto Official Plan (being an amendment to the provisions of the Railway Lands East Secondary Plan).

OFFICIAL PLAN AMENDMENT:

1. Section 10.9 of the Railway Lands East Secondary Plan and Appendix 1 referred to therein are repealed and replaced with the following:

10.9 Notwithstanding any of the provisions of this Plan, Council may pass by-laws, pursuant to Section 37 of the *Planning Act*, respecting the lands municipally known in the year 2014 as 171 Front Street West, 7 Station Street and the privately-owned lands known as Station Street (the “site”) to increase the height limits and the maximum non-residential gross floor area of all buildings or structures erected within the site of 133,050 square metres, provided that pursuant to Section 37 of the *Planning Act*, such by-law requires the owner of the site to provide the City of Toronto, in return for the densities and height permissions thereby granted, with the facilities, services and matters as set out in Appendix 1 hereto; and, the said facilities, services and matters may also be secured in an agreement pursuant to Section 16 of the *City of Toronto Act, 1971*, (Ontario) as amended by Section 11 of the *City of Toronto Act, 1973* (Ontario):

APPENDIX 1 SECTION 37 PROVISIONS

The facilities, services and matters set out herein are the facilities, services and matters required to be provided by the owner of the site to the City in accordance with an agreement or agreements, pursuant to Section 37(1) of the *Planning Act*, in a form satisfactory to the City with conditions providing for indexed escalation of all financial contributions, no credit for development charges, indemnity, insurance, GST, termination and unwinding, and registration and priority of agreement:

The owner of the site shall:

1. A cash contribution of \$1.75 million, prior to the issuance of an above-grade building permit for any development, for the following local community improvement initiatives:
 - a. \$50,000.00 for capital improvements to 168 John Street, \$100,00 for the capital improvements of the block containing 6-28 Henry Street, 40-42 Baldwin Street, 181-203 Beverly Street and 5-15 Cecil Street, and \$150,000 for other capital improvements of Toronto Community Housing Corporation (TCHC) facilities in Ward 20;
 - b. \$1,000,000 for streetscape improvement to the John Street Cultural Corridor;
 - c. \$350,000 for weather protection and improvements to the four at-grade TCC stairways at St. Andrew subway station; and
 - d. \$100,000 for the City of Toronto Book Awards Plaque Program.
2. Provide a publically-accessible privately-owned open space/pedestrian plaza, at the north end of the site, landscaped to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
3. Make the publically-accessible privately-owned open space/pedestrian plaza, at the north end of the site, available to the City of Toronto and its agencies, boards and commissions, or a non-profit organization approved by the General Manager, Economic Development and Culture, City of Toronto for use at no cost, for a minimum of at least six (6) events per year.
4. Provide a public art contribution in accordance with the City of Toronto's Percent for Public Art Program; and
5. In the event the cash contributions referred to in Section 1 (a) through (d) above has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

6. The payments required in Clause 1(a) through (d) herein, shall increase in accordance with the increase in the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement or, if the site specific by-laws for the project are appealed to the Ontario Municipal Board, from the date of the Board order approving the by-laws, to the date of submission of the funds by the owner to the City.
7. Provide documentation as to LEED certification of the development and the marketing materials that will include information on LEED certification;
8. Provide a pedestrian walkway through the new building proposed within the site;
9. Space within the development site shall be provided for the construction of any transformer vaults, hydro vaults, Bell maintenance structures, sewer maintenance holes, exhaust and intake vents and stairwell and associated enclosure;
10. Incorporate in the construction of the building, of exterior materials to be shown for the podium along Simcoe Street, Front Street West and Station Street, pedestrian weather protection and landscaping materials;
11. Provide and maintaining an irrigation system for any proposed trees within the public road allowance;
12. Provide, prior to site plan approval, an architectural plan and/or renderings of the roof of the podium, to include a green roof, or a combination of an appropriately landscaped roof and other architectural design treatment and exterior materials;
13. Implement any necessary mitigation measures, to address the recommendations of a Pedestrian Level Wind Study;
14. Revise the development, if necessary, and a Letter of Credit, to implement the recommendations of a Street Lighting Assessment;
15. Continuous weather protection for pedestrians with a minimum depth of 3 metres along the frontage of Simcoe Street from the former north limit of Station Street to the southern property boundary;
16. Enter into an agreement satisfactory to the City Solicitor, in consultation with the Chief Planner and Executive Director, City Planning Division, and the Executive Director of Engineering and Construction Services, to secure the proposed canopy along a portion of the Simcoe Street frontage of the site, affixed to the existing building at 151 Front Street West;
17. Submit, for review and acceptance prior to site plan approval, a Pedestrian Flow and Safety Review to the Program Manager, Transportation Planning, City Planning Division;

18. Submit, for review and acceptance prior to site plan approval, a Transportation Demand Management Plan to the General Manager of Transportation Services, including measures to reduce automobile use;
19. Having a qualified Transportation Engineer/Planner certify, in writing, to the General Manager of Transportation Services, prior to site plan approval, that the development has been designed and constructed in accordance with the Transportation Demand Management Plan approved by the General Manager, Transportation Services;
20. Provide, maintain and operate the Transportation Demand Management measures, facilities and strategies stipulated in the Transportation Demand Management Plan approved by the General Manager, Transportation Services;
21. Submit a traffic monitoring report within six months of occupancy of the office building to identify vehicular trip distribution patterns associated with the project and identify mitigating measures to address any poor levels of services experienced at Front Street West/Simcoe Street, former Station Street/York Street, Station Street/Simcoe Street intersections, for the review and approval of the General Manager of Transportation Services;
22. Provide a letter of Credit in the amount of \$50,000 to cover the costs associated with the following measures, as deemed appropriate by the General Manager of Transportation Services:
 - a. implementing mitigating measures such as changes to traffic regulations and installation of regulatory signage; and
 - b. implementing the approved signal timing modification and signal phasing adjustments identified at the Front Street West/Simcoe Street, Station Street/York Street, Station Street/Simcoe Street, York Street/University Avenue/Front Street West and York Street/Bremner Boulevard intersections, which are attributable, in part, to this development, if any;
23. Submit, prior to site plan approval a detailed landscape plan for the subject property, to the satisfaction of the Manager, Heritage Preservation Services;
24. Provide, prior to site plan approval, plans for interpretive panels or other interpretive materials to communicate the development history of the property: the research, design, and location of the interpretive materials will be to the satisfaction of the Manager of Heritage Preservation Services;
25. Provide, prior to site plan approval, landscape plans for the publically accessible private open space/pedestrian plaza, which includes design consideration of the history of the site, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

26. Provide, prior to site plan approval, a Letter of Credit in a form and in an amount satisfactory to the Manager, Heritage Preservation Services to secure all work for the research, production and installation of interpretive materials;
27. Obtain final approval for the interpretive materials erected on the property from the Manager, Heritage Preservation Services prior to the release of the Letter of Credit;
28. Provide, prior to site plan approval, a revised Vibration Assessment, and if necessary, incorporating vibration migrating measures and revised drawings, prior to approval of the site plan application and have a qualified consultant certify, in writing, that the development has been designed and constructed in accordance with the approved vibration mitigating measures;
29. Provide, prior to the site plan approval, a revised Noise Impact Study, and if necessary, incorporate noise mitigating measures and revised drawings, prior to approval of the site plan application and have a qualified consultant certify, in writing, that the development has been designed and constructed in accordance with the approved noise mitigation measures.
30. Notwithstanding the foregoing, the owner and the City may modify or amend the said agreement(s), from time to time and upon the consent of the City and the owner, without further amendment to those provisions of this schedule which identify the facilities, services and matters to be secured.

Attachment 2: Draft Zoning By-law

CITY OF TORONTO

Bill No. ~

BY-LAW No. --20~

To amend the Railway Lands East Area A Zoning By-law No. 168-93 of the former City of Toronto, as amended by Zoning By-Law No. 595-2007, with respect to lands municipally known as 171 Front Street West and 7 Station Street.

WHEREAS the Council of the City of Toronto has been requested to amend the Railway Lands East Area A Zoning By-law No. 168-83 of the former City of Toronto, as amended by By-Law No. 595-2007, pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, with respect to lands known municipally in the year 2014 as 171 Front Street West and 7 Station Street.

WHEREAS the Council of the City of Toronto conducted a public meeting under Section 34 of the *Planning Act* regarding the proposed Zoning By-law amendment, and

WHEREAS the Council of the City of Toronto, at its meeting on August ~, 2014, determined to amend the Railway Lands East Area A Zoning By-law No. 169-93, as amended by Zoning By-law No. 595-2007.

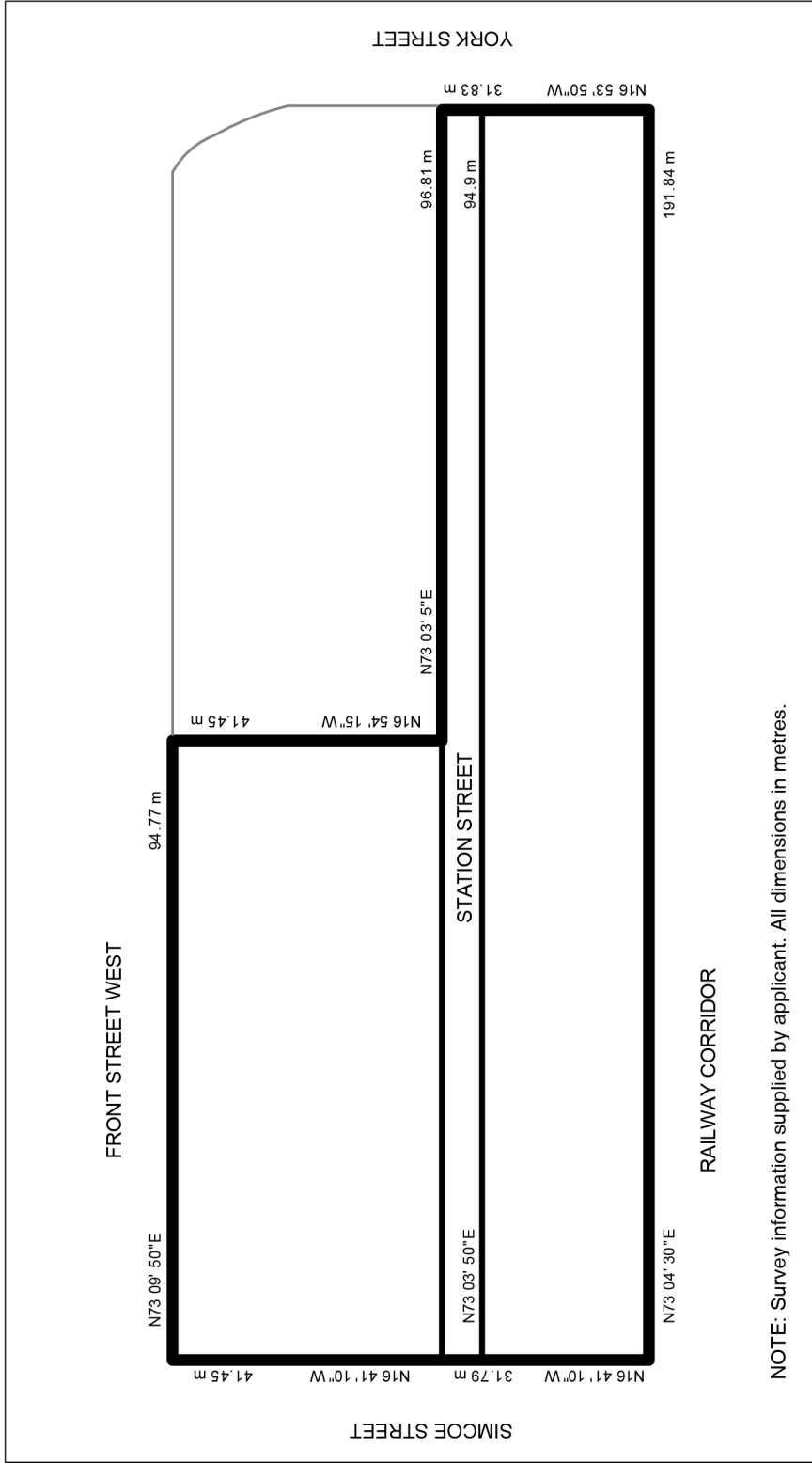
The Council of the City of Toronto HEREBY ENACTS as follows:

1. Pursuant to Section 37 of the *Planning Act*, the heights and density of development permitted by this By-law are permitted subject to compliance with the conditions set out in this By-law and in return for the provision by the *owner* of the *site* of facilities, services and matters set out in Appendix 1 hereof, the provisions of which shall be secured by an agreement or agreements pursuant to Section 37(3) of the *Planning Act*.
2. Upon execution and registration of an agreement or agreements with the *owner* of the *site* pursuant to Section 37 of the *Planning Act* securing the provision of the facilities, services and matters set out in Appendix 1 hereof, the *site* is subject to provisions of this By-law, provided that in the event the said agreement(s) requires the provision of a facility, service or matter as a precondition to the issuance of a building permit, the *owner* may not erect or use such building until the *owner* has satisfied the said requirements.
3. Except as otherwise provided herein, the provisions of By-law No. 168-93, as amended by By-law No. 595-2007, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in the ‘Railway Lands East Area A’”, as amended by By-law No. 595-2007, shall continue to apply to the *site*.

4. Notwithstanding Sections 6(3) Part I 1(a) and (b) of By-law No. 168-93 as amended by Section 7 of By-law No. 595-2007, the maximum combined *non-residential gross floor area* of all buildings or structures erected within the *site*, shall not exceed 133,050 square metres, and no *residential gross floor area* shall be permitted within the *site*.
5. Notwithstanding Section 4(5)(b) of By-law No. 168-93, as amended by Section 12 of By-law No. 595-2007, *parking spaces* for uses within the *site*, shall be provided and maintained within the site, in accordance with the following minimum and maximum requirements (provided that this section shall not apply to the buildings and structures located on the *site* as of January 1, 2007 provided no additions are made thereto):
 - a. a minimum of 319 *parking spaces* shall be provided and located within the *site*.
6. Notwithstanding Section 4(9) of By-law No. 168-93 *bicycle parking spaces* shall be provided and maintained on the *site* in accordance with the following minimum requirements (provided that this section shall not apply to the buildings and structures located on the *site* as of January 1, 2007, provided no additions are made thereto):
 - a. a minimum of 201 *bicycle parking spaces – occupant* of which up to 150 may be parked in an upright position,
 - b. a minimum of 182 *bicycle parking spaces – visitor* of which up to 60 may be parked in an upright position, and
 - c. a minimum of 11 *bicycle – share parking spaces*
7. In addition to the exclusions provided for in Section 9 and Section 11 of By-law No. 595-2007, an architectural feature wall may project up to 3.0 metres above the maximum permitted *height* in the area of the *site* identified and shown on Map 2 as Plaza H:4.5.
8. For clarity, Maps 1 and 2 and Appendix 1 attached to this By-law are incorporated into this By-law and are deemed to be a part of this By-law.
9. For the purpose of this By-law, Map 2 of By-law No. 595-2007 is replaced by Map 2 attached to this By-law.
10. For the purposes of this By-law, the following word shall have the following meaning:
 - a. “*bicycle parking space – visitor*” means an area that is equipped with a bicycle rack for the purpose of parking and securing bicycles and;
 - i. where the bicycles are to be parking on a horizontal surface, has horizontal dimensions of at least .71 metres by 1.8 metres for every two spaces and a vertical dimension of at least 1.9 metres;

- ii. where the bicycles are to be parked in a vertical position, has horizontal dimensions of at least 0.6 metres by 1.2 metres and a vertical dimension of at least 1.9 metres;
 - iii. may be located outdoors or indoors but not within a secured room, enclosure or bicycle locker.
- b. “*bicycle – share parking space*” means an area that is equipped with a bicycle rack for the purpose of parking and securing bicycles and where the bicycles will be parking on a horizontal surface, and each space shall have minimum horizontal dimensions of at least 0.76 metres by 1.83 metres and a vertical dimension of at least 1.9 metres and where the spaces shall be reserved for bicycle-share use,
- c. “*parking space*” means an unobstructed area of at least 5.6 metres in length and 2.6 metres in width and 2.0 metres in height which is readily accessible at all times for the parking and removal of a motor vehicle without the necessity of moving any other motor vehicle and which is entered by means of a driveway or passageway having a minimum unobstructed width of 6.0 metres,
- d. “*site*” means those lands outlined by heavy lines on Map 1 attached hereto, and
- e. Each other word or expression, which is italicized in this By-law, shall have the same meaning as each such word or expression as defined in By-law No. 168-93, as amended by By-law No. 595-2007.

ENACTED AND PASSED THIS ____ day of _____.



NOTE: Survey information supplied by applicant. All dimensions in metres.



171 Front Street West and 20 Station St

Map 1

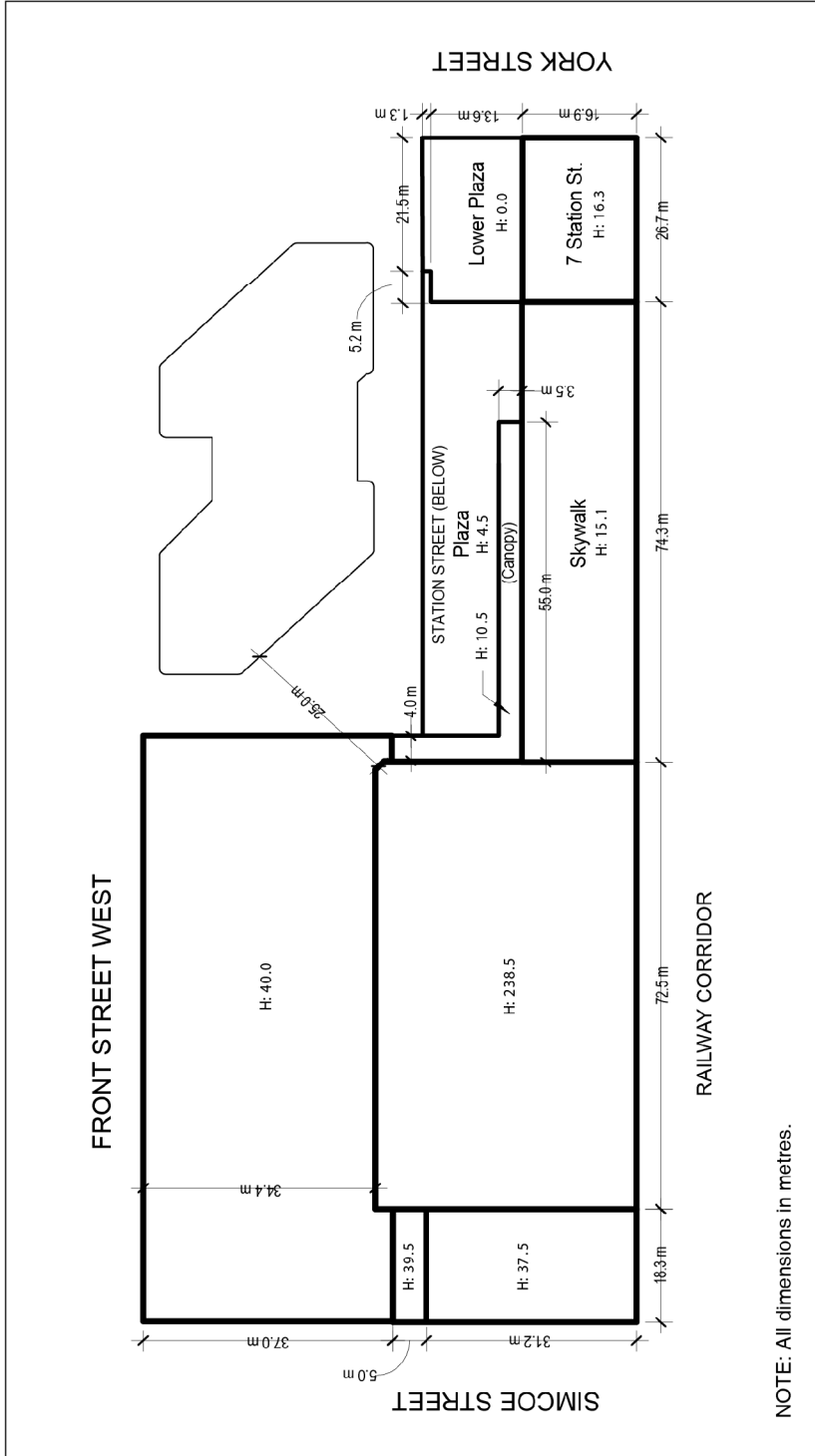
File # 14 122777 STE 200Z



Site Area



Not to Scale
07/22/2014



NOTE: All dimensions in metres.



171 Front Street West and 20 Station St

Map 2

File # 14 122777 STE 20 0Z



APPENDIX 1 SECTION 37 PROVISIONS

The facilities, services and matters set out herein are the facilities, services and matters required to be provided by the *owner* of the *site* to the *City* in accordance with an agreement or agreements, pursuant to Section 37(1) of the *Planning Act*, in a form satisfactory to the *City* with conditions providing for indexed escalation of all financial contributions, no credit for development charges, indemnity, insurance, GST, termination and unwinding, and registration and priority of agreement:

The *owner* of the *site* shall:

1. A cash contribution of \$1.75 million, prior to the issuance of an above-grade building permit for any development, for the following local community improvement initiatives:
 - a. \$50,000.00 for capital improvements to 168 John Street, \$100,00 for the capital improvements of the block containing 6-28 Henry Street, 40-42 Baldwin Street, 181-203 Beverly Street and 5-15 Cecil Street, and \$150,000 for other capital improvements of Toronto Community Housing Corporation (TCHC) facilities in Ward 20;
 - b. \$1,000,000 for streetscape improvement to the John Street Cultural Corridor;
 - c. \$350,000 for weather protection and improvements to the four at-grade TCC stairways at St. Andrew subway station; and
 - d. \$100,000 for the City of Toronto Book Awards Plaque Program.
2. Provide a publically-accessible privately-owned open space/pedestrian plaza, at the north end of the site, landscaped to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
3. Make the publically-accessible privately-owned open space/pedestrian plaza, at the north end of the site, available to the City of Toronto and its agencies, boards and commissions, or a non-profit organization approved by the General Manager, Economic Development and Culture, City of Toronto for use at no cost, for a minimum of at least six (6) events per year.
4. Provide a public art contribution in accordance with the City of Toronto's Percent for Public Art Program; and
5. In the event the cash contributions referred to in Section 1 (a) through (d) above has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

6. The payments required in Clause 1(a) through (d) herein, shall increase in accordance with the increase in the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement or, if the site specific by-laws for the project are appealed to the Ontario Municipal Board, from the date of the Board order approving the by-laws, to the date of submission of the funds by the owner to the City.
7. Provide documentation as to LEED certification of the development and the marketing materials that will include information on LEED certification;
8. Provide a pedestrian walkway through the new building proposed within the site;
9. Space within the development site shall be provided for the construction of any transformer vaults, hydro vaults, Bell maintenance structures, sewer maintenance holes, exhaust and intake vents and stairwell and associated enclosure;
10. Incorporate in the construction of the building, of exterior materials to be shown for the podium along Simcoe Street, Front Street West and Station Street, pedestrian weather protection and landscaping materials;
11. Provide and maintaining an irrigation system for any proposed trees within the public road allowance;
12. Provide, prior to site plan approval, an architectural plan and/or renderings of the roof of the podium, to include a green roof, or a combination of an appropriately landscaped roof and other architectural design treatment and exterior materials;
13. Implement any necessary mitigation measures, to address the recommendations of a Pedestrian Level Wind Study;
14. Revise the development, if necessary, and a Letter of Credit, to implement the recommendations of a Street Lighting Assessment;
15. Continuous weather protection for pedestrians with a minimum depth of 3 metres along the frontage of Simcoe Street from the former north limit of Station Street to the southern property boundary;
16. Enter into an agreement satisfactory to the City Solicitor, in consultation with the Chief Planner and Executive Director, City Planning Division, and the Executive Director of Engineering and Construction Services, to secure the proposed canopy along a portion of the Simcoe Street frontage of the site, affixed to the existing building at 151 Front Street West;
17. Submit, for review and acceptance prior to site plan approval, a Pedestrian Flow and Safety Review to the Program Manager, Transportation Planning, City Planning Division;

18. Submit, for review and acceptance prior to site plan approval, a Transportation Demand Management Plan to the General Manager of Transportation Services, including measures to reduce automobile use;
19. Having a qualified Transportation Engineer/Planner certify, in writing, to the General Manager of Transportation Services, prior to site plan approval, that the development has been designed and constructed in accordance with the Transportation Demand Management Plan approved by the General Manager, Transportation Services;
20. Provide, maintain and operate the Transportation Demand Management measures, facilities and strategies stipulated in the Transportation Demand Management Plan approved by the General Manager, Transportation Services;
21. Submit a traffic monitoring report within six months of occupancy of the office building to identify vehicular trip distribution patterns associated with the project and identify mitigating measures to address any poor levels of services experienced at Front Street West/Simcoe Street, former Station Street/York Street, Station Street/Simcoe Street intersections, for the review and approval of the General Manager of Transportation Services;
22. Provide a letter of Credit in the amount of \$50,000 to cover the costs associated with the following measures, as deemed appropriate by the General Manager of Transportation Services:
 - a. implementing mitigating measures such as changes to traffic regulations and installation of regulatory signage; and
 - b. implementing the approved signal timing modification and signal phasing adjustments identified at the Front Street West/Simcoe Street, Station Street/York Street, Station Street/Simcoe Street, York Street/University Avenue/Front Street West and York Street/Bremner Boulevard intersections, which are attributable, in part, to this development, if any;
23. Submit, prior to site plan approval a detailed landscape plan for the subject property, to the satisfaction of the Manager, Heritage Preservation Services;
24. Provide, prior to site plan approval, plans for interpretive panels or other interpretive materials to communicate the development history of the property: the research, design, and location of the interpretive materials will be to the satisfaction of the Manager of Heritage Preservation Services;
25. Provide, prior to site plan approval, landscape plans for the publically accessible private open space/pedestrian plaza, which includes design consideration of the history of the site, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

26. Provide, prior to site plan approval, a Letter of Credit in a form and in an amount satisfactory to the Manager, Heritage Preservation Services to secure all work for the research, production and installation of interpretive materials;
27. Obtain final approval for the interpretive materials erected on the property from the Manager, Heritage Preservation Services prior to the release of the Letter of Credit;
28. Provide, prior to site plan approval, a revised Vibration Assessment, and if necessary, incorporating vibration migrating measures and revised drawings, prior to approval of the site plan application and have a qualified consultant certify, in writing, that the development has been designed and constructed in accordance with the approved vibration mitigating measures;
29. Provide, prior to the site plan approval, a revised Noise Impact Study, and if necessary, incorporate noise mitigating measures and revised drawings, prior to approval of the site plan application and have a qualified consultant certify, in writing, that the development has been designed and constructed in accordance with the approved noise mitigation measures.
30. Notwithstanding the foregoing, the owner and the City may modify or amend the said agreement(s), from time to time and upon the consent of the City and the owner, without further amendment to those provisions of this schedule which identify the facilities, services and matters to be secured.